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**Notice of Allowability**

Application No.

09/559,118

Examiner

Joseph E. Avellino

Applicant(s)

DILLON, DOUGLAS M

Art Unit

2143

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment Filed April 2, 2004.
2. ☒ The allowed claim(s) is/are 41-92 and 94 (renumbered 1-53).
3. ☒ The drawings filed on 2000/04/26 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 2004/04/29
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**DAVID WILEY**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Craig Plastrick through Dan Glueck on July 27, 2004.

The application has been amended as follows:

Cancel Claim 93.

Amend claims 60 and 76 as follows:

60. (Currently Amended) A driver for use in a computing device having a TCP/IP stack, said driver being configured to send a first IP packet from the TCP/IP stack through an IP tunnel across a network,

wherein the source IP address of an IP packet of the IP tunnel is different from the source IP address of the first IP packet,

wherein an apparatus on the network receives the IP packet of the IP tunnel, and

wherein from the IP packet of the tunnel an IP packet is obtained comprising (a) for the source IP address, the first IP packet's source IP address, (b) for the destination IP address, the first IP packet's destination IP address, and (c) for the data field, the first IP packet's data field.

76. (Currently Amended) An apparatus comprising:

an internet browser; and

a TCP/IP stack for use with said internet browser,

wherein said internet browser sends a packet across the internet to a second apparatus through (a) said TCP/IP stack, (b) a Network layer tunnel between said TCP/IP stack of said apparatus and a gateway apparatus, and (c) means for transmitting packets from the gateway apparatus to the second apparatus,

wherein a Network layer source address of a packet of the Network layer tunnel is different from a source IP address of an IP packet received by the Network layer tunnel from said TCP/IP stack,

wherein the gateway apparatus receives the packet of the Network layer tunnel, and

wherein from the packet of the Network layer tunnel an IP packet is obtained comprising (a) for the source IP address, the source IP address of the IP packet received by the Network layer tunnel from said TCP/IP stack, (b) for the destination IP address, the destination IP address of the IP packet received by the Network layer tunnel from said TCP/IP stack, and (c) for the data field, the data field of the IP packet received by the Network layer tunnel from said TCP/IP stack.

## REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The prior art of record does not provide for, nor does not reasonably suggest providing for an encapsulation mechanism for IP packets transmitted on a network. An exemplary view of the invention claimed can be found in Figure 5. A Tunneled IP packet 540 is encased inside another IP packet 530 pertaining to other information needed in order to correctly assemble the packet on the IP tunnel exit as well as to aid routing through a separate network disparate from the first network in which the original packet information would be unusable. This, in conjunction with the other limitations of the independent claims, render this case in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (703) 305-7855. The examiner can normally be reached on Monday-Friday 7:00-4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEA  
July 27, 2004



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100